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### Discussion

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Ryan Ashford  
DISASTER MASTERS (R) Inc  
Director  
New York, NY

Disaster Masters (R) is a Federal registered trademark for a New York company. It is not a good idea to do business with any company who wilfully steals a Trademark and not suffer consequences. The Disaster Master company in the state of NC is in Federal court and should not be trusted in business. They have EEOC fines amongs other issues. If you get a claim from them it is likely to be as crooked as their other behaviours.

Posted on 12:05:34 AM

### Comments (1)



Tim Crane  
President at Sunshine  
Restoration Group LLC  
New York, NY

That's interesting and never knew until your post. Thanks for sharing. Although have never had a B2B relationship with them, we have shared referrals. Thanks again.

Posted on 12:05:34 AM

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12:05:34 AM

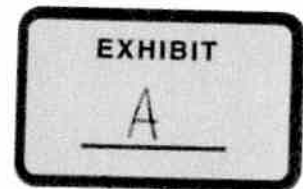
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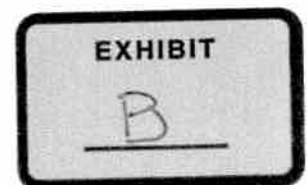
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# **EXHIBIT B – SETTLEMENT AGREEMENT**

**REDACTED**



**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

Civil Action No. \_\_\_\_\_

MICHAEL MACKO and DISASTER  
MITIGATION COMPANY,

Plaintiffs,

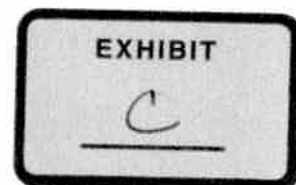
v.

DISASTER MASTERS, INC.  
and RON ALFORD,

Defendants,

**AFFIDAVIT OF  
PAUL SAVVAS**

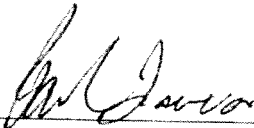
1. I, Paul Savvas, am of sound mind and am over the age of twenty-one years, and the information in this Affidavit is based upon my own personal knowledge.
2. I am a customer of Mr. Macko's business, which is currently known as Disaster Mitigation Company.
3. I am a customer of Disaster Mitigation Company and I reside in High Point, North Carolina. In particular, Disaster Mitigation Company is currently performing work on my home.
4. On May 13, 2010, I telephoned Mr. Macko's business at (336) 723-6624 and requested to speak with Mr. Macko or Valerie, who is Mr. Macko's assistant.
5. The person answering the phone responded that Mr. Macko and Valerie did not work there and that Mr. Macko was not in business anymore.
6. Based upon this information, I was led to believe that the work on my home would not be completed and I became upset.



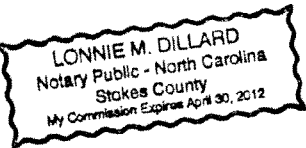
7. The person answering the phone informed me that I could not trust Mr. Macko to complete the work because the company was out of business because he sued Mr. Macko for stealing his business name.
8. Based upon this information, I was angry and ended the telephone call.

I declare under penalty of perjury that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
Paul Savvas  
5-25-10  
\_\_\_\_\_  
Date of Execution

Sworn to (or affirmed) and subscribed to before me this the 25th day of May, 2010.

  (Official Seal)	<p><u>Lonnie M. Dillard</u> Official Signature of Notary Public</p> <p><u>LONNIE M. DILLARD</u>, Notary Public Notary's printed or typed name</p> <p>My Commission Expires: <u>4-30-2012</u></p>
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

Civil Action No. \_\_\_\_\_

MICHAEL MACKO and DISASTER  
MITIGATION COMPANY,

Plaintiffs,

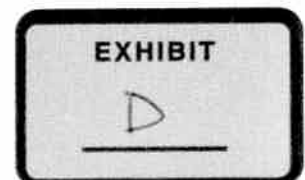
v.

DISASTER MASTERS, INC.  
and RON ALFORD,

Defendants,

**AFFIDAVIT OF  
NORMAN CARTER**

1. I, Norman Carter, am of sound mind and am over the age of twenty-one years, and the information in this Affidavit is based upon my own personal knowledge.
2. I am the owner of Carter Insulation, which is located in Mocksville, North Carolina.
3. I have conducted business on regular basis with the company currently named Disaster Mitigation Company.
4. On May 8, 2010, I attempted to contact Michael Macko's office by telephone at his previous telephone number of (336) 723-6624.
5. I was calling to inquire about the status of an invoice for work performed by my company.
6. The telephone call was answered by a man, and I requested to speak with Terri, who is an employee of Disaster Mitigation Company.
7. Upon asking if Terri quit, he responded by asking if I was attempting to reach the Winston-Salem office, and I confirmed that I was trying to reach the Winston-Salem office.
8. The person who answered the phone responded that his company was Disaster Masters and that he owned the phone number that I called.



9. The person who answered the phone also explained that Mr. Macko had stolen the name "Disaster Master" from him.
10. Mr. Alford then stated that Mr. Macko's offices were shut down and no longer in business.

I declare under penalty of perjury that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

Norman Carter

Norman Carter

5-25-10

Date of Execution

Sworn to (or affirmed) and subscribed to before me this the 25th day of May, 2010.

<p>LONNIE M. DILLARD Notary Public - North Carolina Stokes County My Commission Expires April 30, 2012</p>	<p><u>Lonnie M. Dillard</u> Official Signature of Notary Public <u>LONNIE M. DILLARD</u> Notary Public Notary's printed or typed name My Commission Expires: <u>4-30-2012</u></p>
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(Official Seal)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

Civil Action No. \_\_\_\_\_

MICHAEL MACKO and DISASTER  
MITIGATION COMPANY

Plaintiffs,

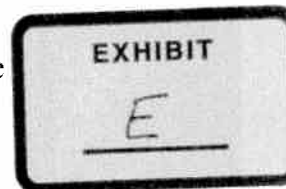
v.

DISASTER MASTERS, INC.  
and RON ALFORD,

Defendants,

**AFFIDAVIT OF  
MICHAEL MACKO – REDACTED  
VERSION**

1. I, Michael Macko, am of sound mind and am over the age of twenty-one years, and the information in this Affidavit is based upon my own personal knowledge.
2. I reside and work in North Carolina.
3. I am a part-owner of Disaster Mitigation Company, which provides disaster restoration and general contractor services locally in the state of North Carolina. I am also the vice president of Disaster Mitigation Company.
4. Disaster Mitigation Company previously did business under the name Disaster Master Company.
5. Disaster Mitigation Company was established under the laws of North Carolina and maintains its place of business there in North Carolina.
6. On or about August 28, 2009, Disaster Masters, Inc. ("Disaster Masters") instituted a civil action against me, personally, in the United States District Court for the



Southern District of New York ("New York Action") alleging, among other things, trademark infringement under the Lanham Act, 15 U.S.C. § 1121.

7. I responded to Disaster Masters' civil action by challenging personal jurisdiction and venue.
8. In about March 2010, I discovered that Ron Alford ("Alford"), president of Disaster Masters, acting on behalf of Disaster Masters, published on internet websites, including a www.linkedin.com "group" site specifically targeted to individuals doing disaster claims related business in the Charlotte, North Carolina area, false and defamatory statements concerning me and Disaster Mitigation Company.
9. Subsequently, on March 30, 2010, I instituted a civil action against Disaster Masters and Alford in the United States District Court for the Middle District of North Carolina ("North Carolina Action"), alleging defamation and unfair trade practices, and seeking declaratory relief of non-infringement of the trademarks asserted by Disaster Masters.
10. Prior to the jurisdictional issues being resolved in the New York Action, Disaster Masters and I entered into a settlement agreement (the "Agreement"), [REDACTED]  
[REDACTED]  
[REDACTED]. A true and accurate copy of the Agreement is attached to this Affidavit as Exhibit A.  
[REDACTED]  
[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

14. Accordingly, I have adequately complied with the terms of the Agreement. To the extent that any of the terms of the agreement remain unsatisfied, those instances are a result of Alford and/or Disaster Masters' efforts to frustrate performance of the Agreement.

15. [REDACTED]

[REDACTED]

[REDACTED]

16. [REDACTED]  
[REDACTED]

17. It is my understanding that some customers of Disaster Mitigation Company that have called the phone numbers transferred to Disaster Masters have been informed by the person answering those calls that I am deceptive and dishonest, that I am a thief, and that Disaster Mitigation Company and I are bankrupt and/or out of business.

18. It is my understanding that the person answering calls at the phone numbers transferred to Disaster Masters has attempted to falsely represent to some callers, including customers of Disaster Mitigation Company and insurance adjusters that refer business to Disaster Mitigation Company, that the person answering the call is affiliated with Disaster Mitigation Company and have solicited the business of those customers.

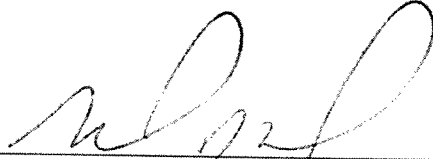
19. The conduct referred to in paragraphs 17 and 18 is likely to continue as I typically receive at least one complaint per day from persons who have called one of the transferred telephone numbers, including from Disaster Mitigation Company's customers and insurance agents doing business with Disaster Mitigation Company.

20. It is my understanding that Disaster Mitigation Company and I have lost business due to comments made by the person who is answering phone calls to the phone numbers that were transferred to Disaster Masters.

21. Prior to entering into the Agreement, Cincinnati Insurance Company provided Disaster Mitigation Company with substantial business and referred business to Disaster Mitigation Company.
22. It is my understating that Cincinnati Insurance Company will not currently use the services of me or Disaster Mitigation Company because of remarks made by Disaster Masters to Cincinnati Insurance Company.
23. In particular, Disaster Masters informed the Cincinnati Insurance Company that Disaster Mitigation Company is bankrupt, not reputable, and has many complaints with the Better Business Bureau. These comments are false.
24. Since Alford has made the disparaging remarks to Cincinnati Insurance Company, neither I nor Disaster Mitigation Company has received any business from Cincinnati Insurance Company.
25. Disaster Mitigation Company and I rely on the goodwill and customer relations that have been created by Disaster Mitigation Company and me to maintain a profitable business.
26. If Alford and Disaster Masters continue to make defamatory remarks concerning Disaster Mitigation Company and me, it is unquestioned that Disaster Mitigation Company and I will continue to incur loss of business relationships, contracts, and lost profits.

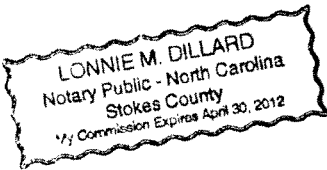
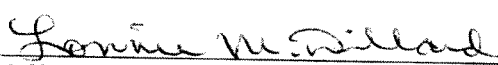
I declare under penalty of perjury that the foregoing is true and correct.

FURTHER AFFIANT SAYETH NOT.

  
Michael Macko

5-28-10  
Date of Execution

Sworn to (or affirmed) and subscribed to before me this the 28<sup>th</sup> day of May, 2010.

 (Official Seal)	<p> Official Signature of Notary Public</p> <p><u>LONNIE M. DILLARD</u>, Notary Public Notary's printed or typed name</p> <p>My Commission Expires: <u>4-30-2012</u></p>
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# **EXHIBIT A – SETTLEMENT AGREEMENT**

**REDACTED**

